IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

THURSDAY, THE 29TH MARCH 2007 / 8TH CHAITHRA 1929

Bail Appl..No. 1515 of 2007()

CRIME NO.30/07 OF KANJAR POLICE STATION

: PETITIONERS/ACCUSED NO. 1 TO 4

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1. EBIN, S/O JOSHY, AGED 23 YEARS,
   PERUMPUZHA PAKUTHIYIL HOUSE, MUTTAM KARA,
   MUTTAM VILLAGE.

2. JOSEMON, S/O CHACKO, AGED 24 YEARS,
   ERAMPADATHIL HOUSE, MUTTAM KARA,
   MUTTAM VILLAGE.

3. SAMON, S/O MATHEW, AGED 24 YEARS,
   ADHIKARATHIL HOUSE, MATHAPPARA BHAGAM,
   MUTTAM VILLAGE.

4. MUSTHAFA, S/O MUHAMMED, AGED 26 YEARS,
   ATTUKATHIL HOUSE, MATHAPPARA BHAGAM,
   MUTTAM KARA, MUTTAM VILLAGE.

BY ADV. SRI.B.RAMAN PILLAI
SRI.R.ANIL
SRI.RAJU RADHAKRISHNAN
SRI.ANIL K.MOHAMMED

RESPONDENTS: COMPLAINANT

STATE, REP. BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 29/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

B.A. No. 1515 OF 2007 D

Dated this the 29th day of March, 2007

O R D E R

Petitioners, who are accused Nos.1 to 4 in Crime No.30/07 of Kanjar Police Station for offences punishable under sections 323, 324 and 326 read with section 34 IPC, seek anticipatory bail.

2. Learned Public Prosecutor opposed the application submitting, inter alia, that one Chacko has sustained injuries including fracture.

3. Anticipatory bail cannot be granted in a case of this nature. But at the same time, having regard to the fact that there is a counter case also registered in the same occurrence, I am inclined to permit the petitioners to surrender before the Investigating Officer for interrogation and then to have their application for regular bail ordered by the Magistrate concerned. Accordingly, the petitioners are directed to surrender before the Investigating Officer either on 3.4.2007 or on 4.4.2007 for the purpose of interrogation. The petitioners shall, thereafter, be produced on the same day before the concerned Magistrate, who shall release them on bail on appropriate conditions.

This application is disposed of as above.

(V. RAMKUMAR, JUDGE)

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